

By: Leibowitz

H.B. No. 1166

Substitute the following for H.B. No. 1166:

By: Turner of Harris

C.S.H.B. No. 1166

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements for doctors providing professional services under the workers' compensation system.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 408.0043, Labor Code, is amended by adding Subsection (c) to read as follows:

(c) A doctor who performs peer review, utilization review, or a required medical examination requested by an insurance carrier must:

(1) if appropriate to the specific case, hold the same professional certification as the employee's treating doctor;

(2) maintain the doctor's primary practice location in this state; and

(3) have maintained routine office hours of at least 20 hours per week for the treatment of patients for at least three years during the doctor's career.

SECTION 2. Section 408.0044, Labor Code, is amended by adding Subsection (c) to read as follows:

(c) A dentist who performs peer review, utilization review, or a required dental examination requested by an insurance carrier must:

(1) maintain the dentist's primary practice location in this state; and

(2) have maintained routine office hours of at least

1 20 hours per week for the treatment of patients for at least three
2 years during the dentist's career.

3 SECTION 3. Section 408.0045, Labor Code, is amended by
4 adding Subsection (c) to read as follows:

5 (c) A chiropractor who performs peer review, utilization
6 review, or a required medical examination requested by an insurance
7 carrier must:

8 (1) maintain the chiropractor's primary practice
9 location in this state; and

10 (2) have maintained routine office hours of at least
11 20 hours per week for the treatment of patients for at least three
12 years during the chiropractor's career.

13 SECTION 4. The change in law made by this Act applies only
14 to professional services provided in conjunction with a claim for
15 workers' compensation benefits based on a compensable injury that
16 occurs on or after the effective date of this Act. Professional
17 services provided in conjunction with a claim based on a
18 compensable injury that occurs before that date is governed by the
19 law in effect on the date the compensable injury occurred, and the
20 former law is continued in effect for that purpose.

21 SECTION 5. This Act takes effect September 1, 2009.